

1 WRIGHT, FINLAY & ZAK, LLP
2 Chelsea A. Crowton, Esq.
3 Nevada Bar No. 11547
4 7785 W. Sahara Ave., Suite 200
5 Las Vegas, Nevada 89117
6 Telephone: (702) 475-7964
7 Facsimile: (702) 946-1345
8 ccrowton@wrightlegal.net

9 *Attorney for Defendants, Select Portfolio Servicing, Inc., Credit Suisse First Boston Mortgage Securities Corporation, DLJ Mortgage Capital, Inc., Bill Koch, U.S. Bank, N.A., as trustee on behalf of the holders of the CSMC Mortgage-Packed Pass-Through Certificates, Series 2007-6 (incorrectly plead as U.S. Bank, N.A., as Trustee for the CSMC Mortgage-Backed Trust 2007-6, CSMC Mortgage-Backed Trust 2007-6), Patrick Pittman, Julee Metters (incorrectly plead as Julee Meters), Wells Fargo Bank, N.A., and Kimberly Clark*

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 MICHAEL HARKEY

13 Plaintiff,

14 vs.

15 US BANK, N.A., AS TRUSTEE FOR THE
16 CSMC MORTGAGE-BACKED TRUST 2007-
17 6; CSMC MORTGAGE-BACKED TRUST
18 2007-6; CREDIT SUISSE FIRST BOSTON
19 MORTGAGE SECURITIES CORPORATION;
20 DLJ MORTGAGE CAPITAL, INC.; SELECT
21 PORTFOLIO SERVICING, INC.; WELLS
22 FARGO BANK, N.A.; MERSCORP
23 HOLDINGS, INC.; MORTGAGE
24 ELECTRONIC REGISTRATION SYSTEMS,
25 INC.; QUALITY LOAN SERVICE
26 CORPORATION; BLACK KNIGHT
27 FINANCIAL SERVICES, LLC formerly
known as LENDER PROCESSING
28 SERVICES, INC.; JESSIE BEWLEY; SHOUA
MOUA; CHRISTINA ALLEN; FIDELITY
NATIONAL FINANCIAL, INC.; BILL
KOCH; KIMBERLY CLARK; VANESSA
GONZALES; MICHELLE NGUYEN;
SAFEGUARD PROPERITES, LLC; ADAM
FENN; EARL BEUTLER; EVE BEUTLER;
DOES I-XX and ROE CORPORATIONS I-XX,
inclusive.

Case No.: 2:14-cv-00177-RFB-GWF

**ORDER GRANTING DEFENDANTS'
MOTION TO EXPUNGE LIS PENDENS**

Defendants.

1
2 Defendants, Select Portfolio Servicing, Inc., Credit Suisse First Boston Mortgage
3 Securities Corporation, DLJ Mortgage Capital, Inc., Bill Koch, U.S. Bank, N.A., as trustee on
4 behalf of the holders of the CSMC Mortgage-Packed Pass-Through Certificates, Series 2007-6
5 (incorrectly plead as U.S. Bank, N.A., as Trustee for the CSMC Mortgage-Backed Trust 2007-6,
6 CSMC Mortgage-Backed Trust 2007-6), Patrick Pittman, Julee Metters (incorrectly plead as
7 Julee Meters), and Kimberly Clark (hereinafter collectively “Defendants”), by and through its
8 attorney of record, Chelsea A. Crowton, Esq. of the law firm of Wright, Finlay & Zak, LLP,
9 having appeared on January 23, 2015 for the hearing on Defendants’ Motion to Expunge Lis
10 Pendens. The Court having heard arguments by all parties, the Court having reviewed the
11 briefed Motion, and good cause appearing, hereby rules as follows:

12 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Defendants’ Motion
13 to Expunge Lis Pendens is GRANTED.

14 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that any Pendency of
15 Action or Lis Pendens recorded by the Plaintiff in the Official Records of Clark County, Nevada
16 on April 19, 2013 as Book and Instrument Number 20130419-0003058, relating to this action
17 and the real property that is the subject of this action located at 2220 Village Walk Drive #3315,
18 Henderson, Nevada 89052, APN: 178-19-611-082 legally described as:

19 **SEE “EXHIBIT A” ATTACHED TO THE HEREIN ORDER.**

20 is hereby cancelled, expunged, or voided, pursuant to N.R.S. 14.015 and it shall have
21 from this day forward have no force or effect.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to N.R.S.
2 14.015(5), the Plaintiff shall record a copy of this Order or other appropriate notice cancelling
3 the Notice of Pendency of Action or Lis Pendens, with the Clark County Recorder's Office
4 within ten (10) business days of its entry, and if there is a failure to do so, any party may record a
5 copy of this Order.

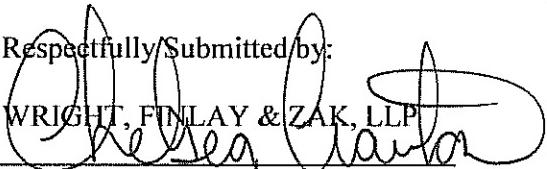
6 **IT IS SO ORDERED.**

7 DATED this 16th day of February 2017.

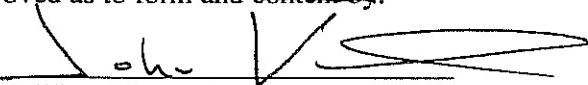


RICHARD F. BOULWARE, II
United States District Judge

8
9
10 Respectfully Submitted by:

11 
12 WRIGHT, FINLAY & ZAK, LLP

13 Chelsea A. Crowton, Esq.
14 Nevada Bar No. 11547
15 7785 W. Sahara Ave., Suite 200
16 Las Vegas, Nevada 89117
17 *Attorney for Defendants, Select Portfolio Servicing, Inc.,
Credit Suisse First Boston Mortgage Securities Corporation,
DLJ Mortgage Capital, Inc., Bill Koch, U.S. Bank, N.A., as trustee
on behalf of the holders of the CSMC Mortgage-Packed Pass-Through
Certificates, Series 2007-6 (incorrectly plead as U.S. Bank, N.A., as
Trustee for the CSMC Mortgage-Backed Trust 2007-6,
CSMC Mortgage-Backed Trust 2007-6), Patrick Pittman,
Julee Metters (incorrectly plead as Julee Meters),
Wells Fargo Bank, N.A., and Kimberly Clark*

18
19
20
21 Approved as to form and content by:
22 

23 John William Verant, Esq.
24 Minnesota Bar No. 017046X
25 9800 69th Avenue North, #201
Maple Grove, Minnesota 55369
Attorney for Plaintiff, Michael Harkey

26

27

28

EXHIBIT A – Legal Description

EXHIBIT A – Legal Description

EXHIBIT "A"

PARCEL ONE (1) – UNIT:

LIVING UNIT 3315, IN BUILDING 3 AS SHOWN ON THE FINAL MAP OF THE DISTRICT AT GREEN VALLEY RANCH, A CONDOMINIUM SUBDIVISION AND COMMON INTEREST COMMUNITY, ON FILE IN BOOK 119 OF PLATS, PAGE 7, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA (HEREINAFTER THE "PLAT").

PARCEL TWO (2) – COMMON ELEMENTS:

1/88TH INTEREST AS A TENANT-IN-COMMON IN THE COMMON ELEMENTS SHOWN ON THE PLAT, IN ACCORDANCE WITH AND SUBJECT TO THE TERMS OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE CONDOMINIUMS AT THE DISTRICT RECORDED SEPTEMBER 27, 2004, IN BOOK 20040927 AS DOCUMENT NO. 0005038 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA (HEREINAFTER THE "DECLARATION").

EXCEPTING THEREFROM, ALL UNITS SHOWN ON THE PLAT.

RESERVING THEREFROM, THE RIGHT TO USE ANY OF THOSE AREAS DESIGNATED AS LIMITED COMMON ELEMENTS IN THE PLAT AND/OR THE DECLARATION.

FURTHER RESERVING THEREFROM, FOR THE BENEFIT OF THE OWNERS OF ALL UNITS SHOWN ON THE PLAT (EXCEPT THE UNIT REFERRED TO IN PARCEL ONE (1) ABOVE), NON-EXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, USE, ENJOYMENT AND OTHER PURPOSES ON, OVER AND ACROSS THE COMMON ELEMENTS, AS DEFINED IN, AND SUBJECT TO THE DECLARATION.

PARCEL THREE (3) – LIMITED COMMON ELEMENTS:

THE EXCLUSIVE RIGHT TO USE, POSSESS AND OCCUPY THE FOLLOWING, SUBJECT TO THE TERMS AND PROVISIONS OF THE DECLARATION:

PARKING SPACE NUMBER: LCE-P-#22; AND

STORAGE SPACE NUMBER: LCE-SL-#15,

ALL OF WHICH ARE DESCRIBED AS LIMITED COMMON ELEMENTS IN SECTION 5.2(a) AND 5.3(a) OF THE DECLARATION AND WHICH ARE APPURTEnant TO PARCELS ONE (1) AND TWO (2) DESCRIBED ABOVE.

TOGETHER WITH THE EXCLUSIVE RIGHT TO USE, POSSESS AND OCCUPY THE FOLLOWING, SUBJECT TO THE TERMS AND PROVISIONS OF THE DECLARATION:

PARKING SPACE NUMBER: LCE-P-#23; AND

ALL OF WHICH ARE HEREBY ASSIGNED AS LIMITED COMMON ELEMENTS IN ACCORDANCE WITH SECTION 5.2(b) AND/OR 5.3(b), AS APPLICABLE, OF THE DECLARATION AND WHICH ARE APPURTEnant TO PARCELS ONE (1) AND TWO (2) DESCRIBED ABOVE.

TOGETHER WITH THE AREAS DESIGNATED AS LIMITED COMMON ELEMENTS, ALLOCATED TO PARCELS ONE (1) AND TWO (2) IN THE DECLARATION.

PARCEL FOUR (4) – APPURTEnant EASEMENTS:

NON-EXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, USE, ENJOYMENT AND OTHER PURPOSES ON, OVER AND ACROSS THE COMMON ELEMENTS AS DEFINED IN AND SUBJECT TO THE DECLARATION, WHICH EASEMENTS ARE APPURTEnant TO PARCELS ONE (1), TWO (2) AND THREE (3) ABOVE.